

## UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

DISABILITY RIGHTS MISSISSIPPI, THE LEAGUE  
OF WOMEN VOTERS OF MISSISSIPPI, WILLIAM  
EARL WHITLEY, MAMIE CUNNINGHAM, and  
YVONNE GUNN,

*Plaintiff(s)*

v.

Civil Action No. 3:23-cv-00350-HTW-LGI

LYNN FITCH, in her official capacity as Attorney General of the  
State of Mississippi; MICHAEL D. WATSON, JR., in his official  
capacity as Secretary of State of Mississippi; GERALD A.  
MUMFORD, in his official capacity as Hind County Attorney and  
ELIZABETH AUSBERN in her official capacity as Chickasaw  
County Attorney

*Defendant(s)*

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Michael D. Watson, in his official capacity as  
Secretary of State of Mississippi  
125 S. Congress Street  
Jackson, MS 39201

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Leslie Faith Jones MSB. 106092  
SOUTHERN POVERTY LAW CENTER  
111 East Capitol Street, Suite 280 Jackson, MS 39201  
(601) 948-8882

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



ARTHUR JOHNSTON

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Date: 6/1/2023

Attachment to Summons

<p><u>/s/Leslie Faith Jones</u>  Leslie Faith Jones MSB. 106092  <a href="mailto:leslie.jones@splcenter.org">leslie.jones@splcenter.org</a>  <b>SOUTHERN POVERTY LAW CENTER</b>  111 East Capitol Street, Suite 280  Jackson, MS 39201  (601) 948-8882</p> <p>Bradley E. Heard**  <a href="mailto:bradley.heard@splcenter.org">bradley.heard@splcenter.org</a>  Sabrina Khan**  <a href="mailto:sabrina.khan@splcenter.org">sabrina.khan@splcenter.org</a>  Jess Unger**  <a href="mailto:jess.unger@splcenter.org">jess.unger@splcenter.org</a>  Ahmed Soussi**  <a href="mailto:ahmed.soussi@splcenter.org">ahmed.soussi@splcenter.org</a>  <b>SOUTHERN POVERTY LAW CENTER</b>  150 E. Ponce de Leon Avenue, Suite 340  Decatur, GA 30030  (334) 213-8303</p> <p>Ming Cheung*  Casey Smith*  Ari J. Savitzky*  Sophia Lin Lakin*  <b>AMERICAN CIVIL LIBERTIES UNION FOUNDATION</b>  125 Broad Street, 18th Floor  New York, NY 10004  (212) 549-2500  <a href="mailto:mcheung@aclu.org">mcheung@aclu.org</a>  <a href="mailto:csmith@aclu.org">csmith@aclu.org</a>  <a href="mailto:asavitzky@aclu.org">asavitzky@aclu.org</a>  <a href="mailto:slakin@aclu.org">slakin@aclu.org</a></p>	<p>Joshua Tom, MSB 105392  <a href="mailto:jtom@aclu-ms.org">jtom@aclu-ms.org</a>  Claudia Williams-Hyman**  <a href="mailto:cwilliamshyman@aclu-ms.org">cwilliamshyman@aclu-ms.org</a>  <b>ACLU OF MISSISSIPPI</b>  101 South Congress Street  Jackson, MS 39201  (601) 354-3408</p> <p>Robert B. McDuff, MSB 2532  <a href="mailto:rbm@mcdufflaw.com">rbm@mcdufflaw.com</a>  <b>MISSISSIPPI CENTER FOR JUSTICE</b>  767 North Congress Street  Jackson, MS 39202  (601) 969-0802</p> <p>Greta Kemp Martin, (Miss. Bar No. 103672)  Katherine Henderson, (Miss. Bar No. 104522)  <b>DISABILITY RIGHTS MISSISSIPPI</b>  5 Old River Place, Suite 101  Jackson, MS 39202  Office: (601)968-0600  Facsimile: (601)968-0665  <a href="mailto:gmartin@drms.ms">gmartin@drms.ms</a>  <a href="mailto:khenderson@drms.ms">khenderson@drms.ms</a></p> <p><i>Counsel for Plaintiffs</i></p>
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\*\* application for pro hac vice forthcoming

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Michael Watson, in his official capacity as Secretary of  
 was received by me on *(date)* 6/1/23 State

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Lynn Fitch, Attorney General of the State of Mississippi, who is  
 designated by law to accept service of process on behalf of *(name of organization)* Michael Watson, MS Secretary of State  
 \_\_\_\_\_ on *(date)* 6/1/23 ; or


☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 6/1/23

  
*Server's signature*

Erica Mannery-Barker, Paralegal/Investigator, ACLU of MS  
*Printed name and title*

101 South Congress Street, Jackson, MS 39201  
*Server's address*

Additional information regarding attempted service, etc:



March 20, 2020

## Notice

### Service of Process Upon the Office of the Attorney General During the COVID-19 State of Emergency

The 12<sup>th</sup> floor lobby of the Attorney General's Office is closed to the public. As of March 20, 2020, and until further notice, Attorney General Lynn Fitch has designated the lockbox located at the Capitol Police desk in the lobby of the Walter Sillers State Office Building at 550 High Street, Jackson, Mississippi as the location for the Attorney General to receive service of process pursuant to Mississippi Rule of Civil Procedure 4(d)(5) and Federal Rule of Civil Procedure 4(j)(2)(B). Summonses and subpoenas to be served on the Attorney General's Office should be placed in this lockbox.

The Capitol Police will not provide an acknowledgment of service. However, you may take a copy of this notice and the accompanying Attorney General's Office business card for your files.

As a reminder, subpoenas seeking documents in the possession, custody, or control of a state agency other than the Attorney General's Office must be served directly on that agency. Placing those subpoenas in this lockbox is not legally sufficient service of process.

The lockbox will be checked once a day. If the matter requires immediate attention, or if you have a question about service of process, please call or email Assistant Attorney General Doug Miracle at 601-359-5654 or [doug.miracle@ago.ms.gov](mailto:doug.miracle@ago.ms.gov).



#### Summons Receipt

Received Date: 06-01 2023 Time: 4:11 pm

Capitol Police: J. Lampkin